UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

NICHOLAS MARTIN on behalf of himself)	
and others similarly situated,)	
)	
Plaintiff,)	
)	Case No. 1:13-cv-6923
VS.)	
)	Hon. Manish S. Shah
JTH TAX, INC., d/b/a LIBERTY TAX)	
SERVICE,)	
)	
Defendant.)	

PLAINTIFF'S THIRD MOTION TO EXTEND TIME TO FILE MOTION FOR PRELIMINARY APPROVAL OF CLASS SETTLEMENT

Plaintiff Nicholas Martin respectfully requests that that this Court extend the time within which he may file a motion for preliminary approval of class action until February 6, 2015. In support of this motion, plaintiff states:

- 1. On November 17, 2014, this Court directed Plaintiff to file his Motion for Preliminary Approval of Class Settlement by December 12, 2014 (Dkt. No. 50). At this Court's status hearing on November 17, 2014, that was acknowledged to be an ambitious deadline for the filing of such a motion. Pursuant to a request by the parties, on December 15, 2014, this Court extended that deadline to January 9, 2015. On January 10, 2015, this Court extended the deadline to January 23, 2015.
- 2. The parties have still been diligently working on settlement papers, and are very close to finalizing them. Plaintiff, however, believes it is appropriate to attempt to obtain the class members' addresses for notice purposes so that the notice plan can be adequately explained to the Court at preliminary approval. The parties are aware of several possible sources for these

addresses, and are actively attempting to procure them.

- 3. Plaintiff therefore requests that the Court permit the parties two more weeks, until February 6, 2015, to submit their motion for preliminary approval.
- 4. Plaintiff further requests that the preliminary approval hearing currently set for January 28, 2015, be reset to either February 9, 2015 or February 17, 2015.
- 5. Counsel for Plaintiff has conferred with counsel for Defendant, who has confirmed that Defendant agrees to the relief requested herein. Further, this extension will not interfere with any other matters scheduled in this case.

WHEREFORE, respectfully requests that that this Court extend the time within which he may file a motion for preliminary approval of class action until February 6, 2015.

Dated: January 23, 2015 Respectfully submitted,

/s/ Alexander H. Burke
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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I, Alexander H. Burke, an attorney, do hereby certify that on January 23, 2015, I electronically filed the foregoing Agreed Motion to Extend Time to File Motion for Preliminary Approval of Class Settlement with the Clerk of the Court using the CM/ECF system, which caused the same to be served on the following counsel of record via ECF filing:

Martin J. Bishop Rebecca R. Hanson Jason P. Britt FOLEY & LARDNER, LLP 321 N. Clark Street, Suite 2800 Chicago, Illinois 60654 (312) 832-4500 (312) 832-4700 (fax) mbishop@foley.com rhanson@foley.com jbritt@foley.com

> /s/ Alexander H. Burke Alexander H. Burke